09-13-04



ATTORNEY DOCKET NO: 71124

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

: TAKAHASHI et al.

Serial No

: 10/667,055

Confirm. No.: 7856

Filed

: September 22, 2003

For

: A DELIVERY APPARATUS..

Art Unit

: 2854

Examiner

: Eugene H EICKHOLT

Dated

: September 10, 2004

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

ATTN: Box Issue Fee

PETITION TO ACCEPT INFORMATION DISCLOSURE STATEMENT AFTER NOTICE OF ALLOWANCE

Sir:

Applicant has now become aware of a Japanese Office Action which cites JP 2003-165661. A copy of this reference is attached to the enclosed Information Disclosure Statement. Applicant's representative certifies that the reference has come to Applicant's attention less than three months ago and indeed this was issued after the issuance of the Notice of Allowance in this case.

As the reference is material, it is requested that the reference be considered. However, as the reference only add art already considered by the Examiner, material which does not teach or suggest the invention as now claimed or technological background prior art, it is asserted that the claims as allowed patentably define over the prior art cited in the Japanese

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Office Action.

Favorable consideration is respectfully requested.

Respectfully submitted for Applicant,

By: John Varios McGlo

Registration No. 31,903

McGLEW AND TUTTLE, P.C.

JJM:jms

Enclosed: Credit Card Payment Form PTO-2038

Information Disclosure Statement

71124.7

DATED:

September 10, 2004

SCARBOROUGH STATION

SCARBOROUGH, NEW YORK 10510-0827

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SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-0410.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, NO.: EV436439642US.

McGLEW AND TUTTLE, P.C.

SCARBOROUGH STATION, SCARBOROUGH, NY 10510-0827

BY: DATE: September 10, 2004